

March 25, 2014

Via ECF and E-mail

The Hon. Richard J. Sullivan,
United States District Court,
Thurgood Marshall United States Courthouse,
40 Foley Square, Room 2104,
New York, New York 10007.

Re: *John Hancock Life Insurance Co., et al. v. JPMorgan Chase & Co., et al.*,
No. 12 Civ. 3184 (RJS)

Dear Judge Sullivan:

By order dated March 18, 2014 (Dkt. No. 96), the Court requested that the parties confer and inform the Court (1) whether plaintiffs wish to amend their operative complaint; (2) whether the FDIC Parties wish to submit briefing pursuant to Rule 14(a) of the Federal Rules of Civil Procedure concerning the motions to dismiss plaintiffs' state-law claims; and (3) whether the parties wish to submit supplemental briefing concerning the motions to dismiss plaintiffs' state-law claims. In response, the parties state that (1) plaintiffs do not wish to amend their operative complaint at this time; (2) the FDIC Parties wish to submit a brief pursuant to Rule 14(a) concerning the motions to dismiss; and (3) both plaintiffs and defendants agree that they wish to submit additional briefing on the motions to dismiss.

Furthermore, for the convenience of the Court, and given the passage of time and the Court's narrowing of certain issues, plaintiffs and defendants respectfully request that the Court permit the parties to submit amended memoranda of law concerning defendants' motions to dismiss, to replace those filed in 2012.

The parties propose the following briefing schedule:

- Any memoranda in support of defendants' motions to dismiss, and the proposed memorandum to be submitted by the FDIC Parties, shall be filed no later than April 25, 2014.
- Any opposition memoranda shall be filed no later than May 30, 2014.
- Any reply memoranda shall be filed no later than June 20, 2014.

Respectfully submitted,

The Hon. Richard J. Sullivan

-2-

/s/ Geoffrey C. Jarvis

Jay W. Eisenhofer (jeisenhofer@gelaw.com)
Geoffrey C. Jarvis (gjarvis@gelaw.com)
Deborah A. Elman (delman@gelaw.com)
Robert D. Gerson (rgerson@gelaw.com)
GRANT & EISENHOFER P.A.
485 Lexington Avenue, 29th Floor
New York, NY 10017
Tel: (646) 722-8500
Fax: (646) 722-8501

Counsel for Plaintiffs

/s/ Scott H. Christensen

Scott H. Christensen
(christensen@hugheshubbard.com)
HUGHES HUBBARD & REED LLP
1775 I Street, N.W.
Washington, DC 20006
Tel: (202) 721-4644
Fax: (202) 721-4646

*Counsel for Third-Party Defendant Federal
Deposit Insurance Corporation, as Receiver for
Washington Mutual Bank*

/s/ Meredith E. Kotler

Meredith E. Kotler (mkotler@csgl.com)
CLEARY GOTTlieb STEEN & HAMILTON LLP
One Liberty Plaza
New York, New York 10006
Tel: (212) 225-2130
Fax: (212) 225-3999

*Counsel for Defendants Banc of America
Securities LLC and Merrill Lynch, Pierce,
Fenner & Smith Inc.*

/s/ Penny Shane

Robert A. Sacks (sacksr@sullcrom.com)
Penny Shane (shanep@sullcrom.com)
David A. Castleman (castlemand@sullcrom.com)
SULLIVAN & CROMWELL LLP
125 Broad Street
New York, New York 10004
Tel: (212) 558-4000
Fax: (212) 558-3588

Counsel for Certain JPMorgan Defendants

/s/ Thomas M. Clark

Thomas M. Clark (thclark@fdic.gov)
FEDERAL DEPOSIT INSURANCE
CORPORATION
New York Legal Services Office
350 Fifth Avenue, Suite 1200
New York, New York 10118
Tel: (917) 320-2855

*Counsel for Third-Party Defendant Federal
Deposit Insurance Corporation, in its Corporate
Capacity*

/s/ Pamela Chopiga

Pamela Chopiga (Pamela.Chopiga@allenoverly.com)
ALLEN & OVERLY LLP
1221 Avenue of Americas
New York, NY 10020
Tel: (212) 610-6300
Fax: (212) 610-6399

Counsel for Defendant Samuel L. Molinaro, Jr.

The Hon. Richard J. Sullivan

-3-

/s/ John Zummo

John E. Zummo (jzummo@howardandhoward.com)
HOWARD & HOWARD PLLC
200 S. Michigan Ave, 11th Floor
Chicago, Illinois 60604
Tel: (312) 456-3425
Fax: (312) 939-5617

Counsel for Defendant CSE Mortgage LLC

/s/ Joel C. Haims

Joel C. Haims (jhaims@mofo.com)
MORRISON & FOERSTER LLP
1290 Avenue of the Americas
New York, New York 10104
Tel: (212) 468-8000
Fax: (212) 468-7900

Counsel for Defendants Sara Bonesteel, Marc R. Kittner, Thomas F. Marano and Michael B. Nierenberg

/s/ Ronald Lefton

Ronald Lefton (leftonr@gtlaw.com)
GREENBERG TRAURIG LLP
200 Park Avenue
New York, New York 10166
Tel: (212) 801-9200
Fax: (212) 801-6400

Counsel for Defendant Jeffrey Mayer

/s/ Dani R. James

Dani R. James (djames@kramerlevin.com)
Jade A. Burns (jburns@kramerlevin.com)
KRAMER LEVIN NAFTALIS & FRANKEL LLP
1177 Avenue of the Americas
New York, New York 10036
Tel: (212) 715-9363
Fax: (212) 715-8000

Counsel for Defendant Jeffrey L. Verschleiser

/s/ Lawrence J. Zweifach

Lawrence J. Zweifach (lzweifach@gibsondunn.com)
Robert F. Serio (rserio@gibsondunn.com)
Aric H. Wu (awu@gibsondunn.com)
GIBSON DUNN & CRUTCHER LLP
200 Park Avenue
New York, New York 10166
Tel: (212) 351-4000
Fax: (212) 351-4035

Counsel for Defendants UBS Securities LLC, Greenwich Capital Markets, Inc. (n/k/a RBS Securities Inc.) and Deutsche Bank Securities Inc.

SO ORDERED:

The Honorable Richard J. Sullivan
United States District Judge